

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE: FRANCISCO ARMANDO SHERMAN, Debtor

FRANCISCO ARMANDO SHERMAN

PLAINTIFF

v.

NO. 05-47025-JWV
CHAPTER 7
AP NO. 05-4166-JWV

MOHELA, SALLIE MAE, INC., STUDENT LOAN
GUARANTEE FOUNDATION OF ARKANSAS,
US DEPARTMENT OF EDUCATION,
STUDENT LOAN MARKETING ASSOCIATION,
AMERICAN EDUCATION SERVICES/KEY
CORPORATE TRUST, COLORADO STUDENT LOANS,
EDUCATION RESOURCES INSTITUTE DBA TERI
MISSOURI DEPARTMENT OF HIGHER EDUCATION,
NELNET, WELLS FARGO BANK

DEFENDANTS

ANSWER TO AMENDED COMPLAINT TO
DETERMINE DISCHARGEABILITY OF
STUDENT LOANS UNDER §523 (a)(8)

Comes now the Defendant, the Student Loan Guarantee Foundation of
Arkansas (SLGFA), by and through its counsel, and for its answer to the Plaintiff's
Complaint states:

- 1) The SLGFA admits the allegations in paragraph 1 of Plaintiff's complaint.
- 2) The SLGFA is without sufficient information to admit or deny the allegations in paragraph 2 of Plaintiff's complaint.
- 3) The SLGFA admits that the student loan owed to Sallie Mae, Inc. has been guaranteed by the SLGFA, and further admits that counsel for the SLGFA, Connie M. Meskimen, 219 S. Victory, Little Rock, AR 72201, will accept service for the Defendant SLGFA. The Defendant SLGFA denies that its attorney can accept service for Sallie Mae, Inc. in any capacity.
- 4) The SLGFA is without sufficient information to admit or deny the allegations in paragraph 4 of Plaintiff's complaint.

- 5) The SLGFA is without sufficient information to admit or deny the allegations in paragraph 5 of Plaintiff's complaint.
- 6) The SLGFA is without sufficient information to admit or deny the allegations in paragraph 6 of Plaintiff's complaint.
- 7) The SLGFA is without sufficient information to admit or to deny the allegations in paragraph 7 of Plaintiff's complaint.
- 8) The SLGFA is without sufficient information to admit or to deny the allegations in paragraph 8 of Plaintiff's complaint.
- 9) The SLGFA is without sufficient information to admit or to deny the allegations in paragraph 7 of Plaintiff's complaint.
- 10) The SLGFA is without sufficient information to admit or to deny the allegations in paragraph 10 of Plaintiff's complaint.
- 11) The SLGFA is without sufficient information to admit or to deny the allegations in paragraph 11 of Plaintiff's complaint.
- 12) The SLGFA admits the allegations in paragraph 12 of Plaintiff's complaint.
- 13) The SLGFA admits that it is a governmental entity as described in 11 U.S.C. §523(a)(8).
- 14) The SLGFA admits the allegations in paragraph 14 of Plaintiff's complaint.
- 15) The SLGFA admits the allegations in paragraph 15 of Plaintiff's complaint.
- 16) The SLGFA denies that the Plaintiff will be unable to maintain a "minimal" standard of living if forced to repay this loans.
- 17) The SLGFA denies that excepting the debts owed to Defendants from discharge under 11 U.S.C. §523(a)(8) of the Bankruptcy Code will impose an undue hardship on the Plaintiff.
- 18) The SLGFA denies that the Plaintiff has made good-faith efforts to repay the debts to Defendants.
- 19) The SLGFA denies that circumstances exist which substantiate that the Plaintiff's budget is likely to remain at its current level or worsen for a significant portion of the repayment period. The SLGFA denies that it is unlikely that Plaintiff will be able to repay these student loans within the foreseeable future.

WHEREFORE, the Defendant herein prays that the Plaintiff's Complaint to Determine Dischargeability of Debt be denied, and Defendant be awarded judgment together with costs and attorney's fees and all other relief to which it is entitled.

/s/ Robert A. Pummill
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CERTIFICATION OF SERVICE

I, Robert Pummill, Attorney for the SLGFA, certify that a copy of the foregoing was served electronically by ECF notification to all parties in interest as listed in the mailing matrix for this adversary action.

/s/ Robert A. Pummill
Robert A. Pummill